

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERNESTO SANTIAGO,	)	
	)	
Plaintiff,	)	Civil Action No. 04-335E
	)	
v.	)	JUDGE McLAUGHLIN
	)	MAGISTRATE JUDGE BAXTER
UNITED STATES OF AMERICA,	)	
	)	ELECTRONICALLY FILED
Defendant.	)	

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME  
TO FILE A RESPONSIVE PLEADING TO  
PLAINTIFF'S MOTION FOR RECONSIDERATION**

AND NOW, comes the Defendant, United States of America (hereinafter referred to as "the Defendant"), by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said District, and, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, respectfully moves the Court to issue an Order enlarging for five (5) days, until November 9, 2005, the time within which Defendant may respond to Plaintiff's Motion to allow all appropriate agency officials to finalize and approve their review of the responsive pleading. An extension is requested because litigation demands and the taking of Plaintiff's deposition on November 2, 2005, prevented the undersigned counsel from completing the response. A brief extension is needed to complete the response.

The undersigned counsel did not contact the *pro se* Plaintiff since he is incarcerated, but is mailing a copy of this Motion.

WHEREFORE, Defendant, United States of America, respectfully requests that the Court issue an Order enlarging for five (5) days, the time within which Defendant may respond to Plaintiff's Motion for Reconsideration.

Respectfully submitted,

MARY BETH BUCHANAN  
UNITED STATES ATTORNEY

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant United States Attorney  
U.S. Post Office and Courthouse  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219  
412-894-7418  
PA ID No. 30440

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Enlargement of Time to File a Responsive Pleading to Plaintiff's Motion for Reconsideration was electronically filed and/or served by first-class mail, postage-prepaid, on this 4<sup>th</sup> day of November, 2005, to the following:

Ernesto Santiago  
Plaintiff *Pro Se*  
Reg. No. 90304-038  
FCI McKean  
Post Office Box 8000  
Bradford, PA 16701

s/Paul E. Skirtich  
PAUL E. SKIRTICH  
Assistant U.S. Attorney